

When identity prevents compliance: the cases of Croatia and Turkey

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Abbreviations

AKP	Adalet ve Kalkınma Partisi (Justice and Development Party)
CDU	Christlich Demokratische Union Deutschlands (Christian Democratic Union)
CEECs	Central and Eastern European Countries
HDZ	Hrvatska Demokratska Zajednica (Croatian Democratic Union)
ICJ	International Court of Justice
ICTY	International Criminal Tribunal for the former Yugoslavia
EU	European Union
NATO	North Atlantic Treaty Organization
SFRY	Socialist Federal Republic of Yugoslavia
UNCLOS	United Nations Convention on the Law of the Sea

Abstract

During the accession process of Turkey and Croatia, it became clear that these countries faced bigger hurdles to compliance than those candidates preceding them. Both countries faced conflicts that originated from national identity. Based on this observation, this thesis asks itself the following research question:

What is the effect of identity conflict on compliance by Croatia and Turkey with the *acquis communautaire* chapters?

Compliance by both countries is measured using an interrupted time series design, using a combination of qualitative and quantitative data. Qualitative data is used to outline the context of identity conflict, its formation and the effects on compliance, after which quantitative data on the opening, closing and freezing of *acquis communautaire* chapters over period 2006-2011 confirms the earlier findings on compliance. The findings show that both Croatia and Turkey underwent identity conflict during their accession process. For Croatia, the border conflict with Slovenia over the bay of Piran blocked compliance for eleven months. Identity conflict was overcome with the existence of large and credible benefits (membership) and ingenious Commission mediation that allowed prevention of costs of compliance. In Turkey's case, the identity conflict is composed of the Cyprus dispute. Owing to the focus on ethnic nationalism in its identity, the protection of ethnic Turks in Northern Cyprus is a key policy for Turkey, leading to their establishment and recognition of the Turkish Republic of Northern Cyprus. The quantitative data supports these findings, Turkey's compliance stays low throughout the period, whereas Croatia shows positive trends before the conflict and after the conflict is removed. Acknowledging the existence of identity conflict in both countries, it is interesting to note the stark difference in success of compliance; Croatia closed all *acquis* chapters, whereas Turkey has closed only one. This thesis finds that the primary difference between the two candidate states is the credibility of membership and the domestic political situation. Following the assumptions of the 'external incentives model', candidates only comply when benefits of doing so outweigh the costs. The lack of credible membership perspective for Turkey removes the benefit from the equation, and thus removes the incentive to overcome identity conflict. This thesis therefore concludes that the 'external incentives model' is still applicable to these candidates, despite the fact that they face higher costs (identity conflict).

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1.0 Introduction

Why are some countries willing to go to extreme lengths to adapt to EU norms, norms that have not been their own? What is Europeanization, how does it work, and how does it interact with existing national identity paradigms in candidate states? And lastly, why have some countries been more successful in complying with EU demands than others? It is questions such as these that have established a growing body of literature on the topic of Europeanization through enlargement, its conditions and candidate state compliance to these conditions.

The policy of enlargement by the EU is often claimed to be its most powerful foreign policy tool, a tool that has the power to influence neighboring countries to enormous extent. In the CEECs, the EU has indeed been quite successful in promoting democracy, rule of law as well as the establishment of human and minority rights in those countries (see: Dimitrova 2002; Grabbe, 2001; Hughes et al., 2004 or Schimmelfennig & Sedelmeier, 2004). There is a general consensus in the established literature that compliance is successful if the benefits of doing so outweigh the costs. Despite the EU's success in Eastern Europe, one can observe a recent shift in its effectiveness; the EU appears less successful in its ability to influence the recent (potential) candidates in South East Europe. It has been suggested that those newer (potential) candidates (Balkan and Turkey) face higher costs of compliance during the accession process, thus lowering the effectiveness of EU enlargement (see for instance: Ágh, 1999; Field, 2000; Freyburg & Richter, 2010; Noutcheva, 2009; Pridham, 2007; or Schimmelfennig, 2008a).

It is thus that this thesis examines the cases of Croatia and Turkey, the two countries composing the most recent enlargement round. Both countries faced conflicts that originated in the established national identity. Compliance to these demands thus had higher potential to cause political costs to governments.

For Croatia, this conflict can be exemplified by the border conflict with Slovenia, a conflict of defining ethnic borders. This problem is enlarged by the troubled recent history of the Croatian state emerging from the Balkan war. Being a relatively new state which sees itself as an innocent victim of Serbian aggression, the demarcation of (ethnic) borders is incremental to early nation building. Croatia has overcome this conflict however, and is now scheduled to become the 28th Member State of the European Union in 2013. The same cannot be said for Turkey however; after decades of slowly coming closer together, the relationship between the EU and Turkey has been in crisis since 2006. Turkey does not recognize Cyprus in its current form, and argues for a separate Turkish Northern Cyprus, which blockades their entry to the EU. Until this very day, the deadlock has not been lifted, a situation that is certainly not helped by the inconsistency showed by the EU when it comes to Turkish membership prospects, regardless of whether the Cyprus problem is resolved. Although both countries officially started the accession process in 2005, the difference today could not be bigger; whereas Croatia has closed **all** *acquis* chapters, Turkey has only closed **one**. What is the reason for this difference? What made it possible for Croatia to overcome their identity crisis and complete the accession process, whereas Turkey failed to do the same? And lastly, how can the EU facilitate the accession progress in case of identity conflict?

This thesis aims to contribute to the growing body of literature in several ways. First of all, there are not many articles covering this field that have employed quantitative data to confirm findings in qualitative data. Using this data set will allow me to observe and measure concrete impacts on compliance caused by identity conflict. Secondly, by examining Croatia and Turkey, it provides an understanding of the extent to which the existing models of compliance can still be employed in the case of identity conflict. This finding is relevant for other potential EU candidates, especially in the Balkan (e.g. Serbia, Bosnia, Macedonia), who face similar conditions.

2.0 Research question

During the most recent enlargement round (Turkey and Croatia), it became clear that these countries faced bigger hurdles to compliance than those preceding them. The reason for these difficulties can be found in the observation that these countries faced higher costs of compliance, due to the emergence of identity related conflicts during the accession process. As Schimmelfennig observes: “Such problems simply did not exist in the countries that joined in 2004 and 2007” (Schimmelfennig, 2008a, p.927). It is thus that the research question is framed as follows:

What is the effect of identity conflict on compliance by Croatia and Turkey with the *acquis communautaire* chapters?

We can derive from this research question that the main dependent variable is compliance to EU demands. This thesis measures compliance through the opening and closing of *acquis communautaire* chapters. The scope and size of the thesis does not allow for a comprehensive analysis of the other potential indicators of compliance, such as the fulfillment of the Copenhagen criteria. Based on this recognition, we can say that the dependent variable of compliance is a ‘ratio’ variable, with full compliance being composed of the closing of all (35) chapters, and zero compliance with 0 chapters.

The main independent variable is identity conflict, with which is meant a conflict between the Europeanization (EU demands) and national identity. Identity conflict is observed from the perspective of border conflict between candidate states (Croatia and Turkey) and EU member states during the accession process of those candidate states.

Border conflicts are manifest expressions of identity conflict and are thus ideally suitable for observation. When one of the states involved in a bilateral border conflict becomes an EU member and the other still a candidate, the problem transforms from being bilateral to an EU problem, as the EU establishes benchmarks, for instance the resolution of border conflicts, in order to open and close *acquis communautaire* chapters (Council of the European Union, n.d.). As such it becomes an identity conflict for the candidate state to choose whether to comply with EU demands to resolve the border conflict, or sticking by its national values of claim over disputed territory. For instance, the EU demands from Turkey that it recognizes Cyprus as a Member State, but Turkey considers Cyprus to be two states, containing Greek and Turkish parts (Council of the European Union 2007e). Compliance to this demand is therefore in conflict with Turkish national values.

It becomes clear from the main research question that this thesis studies compliance by Croatia and Turkey, in the light of their respective identity conflicts with the EU. The reasons for selecting these specific cases is further addressed in section 4.1, but among other reasons they were chosen for having faced identity conflict during the accession process, and variation on the dependent variable (compliance). This raises the question why Croatia complied with the *acquis* chapters, while Turkey has not, despite that fact that both countries faced identity conflict. This becomes the sub-question:

Why has Croatia complied with EU demands of the *acquis communautaire* chapters despite identity conflict while Turkey has not?

3.0 Theories and concepts

The theoretical foundation of the research question:

What is the effect of identity conflict on compliance by Croatia and Turkey with the *acquis communautaire* chapters?

is based on two distinct elements: the conflict between Europeanization and national identity (identity conflict) and compliance to EU demands. This thesis hypothesizes that for Croatia and Turkey, Europeanization came into conflict with national identity. In order to show this to be the case, one must first conceptualize Europeanization and national identity and subsequently see how and where they can come into conflict. When the origins of conflict have been identified, identity conflict can be connected with the theoretical models of compliance.

3.1 *Europeanization and national identity: two competing processes*

Ever since the creation of the nation state under the treaty of Westphalia in 1648, identity formation of the collective has been one in which the nation is central, the collective was once more locally oriented, but since then became a national society. Upon the creation of the European project in the decades following World War II, the hegemonic position of the nation in identity formation has ended through a new process; Europeanization, the process of creating a European identity. Olsen (2002) establishes two general processes by which Europeanization occurs; those that occur internally (institutional rule-making in the EU) and those that occur externally (enlargement) (Olsen, 2002, p.925). This thesis will examine external Europeanization through EU enlargement and the changes in candidate's identities that result from compliance to the process of European identity formation.

Europeanization through enlargement is very geographically oriented; one needs to establish what Europe is, and what is not, and subsequently in which ways Europe influences those that are not part of it (yet) (Olsen, 2002, pp.926-927). The EU constitutes the most comprehensive political project on the European continent, and in fact encompasses nearly the entire geographical range of continental Europe (Olsen, 2002, p.927). It is exactly for this reason that the EU has been so attractive to those excluded from it. Through the mechanism of compliance, candidate states comply with EU demands to reform their countries (Europeanization) in return for the promised benefit of EU membership. As mentioned in section 2.0, compliance is measured through the opening and closing of *acquis communautaire* chapters during the accession process. For some candidate states, EU demands will be close to their own predetermined national identity, whereas for others, Europeanization presents a bigger challenge to existing identity.

However, before looking into how Europeanization and national identity could come into conflict, it is important to define national identity as such. Wendt (1994) describes national identity as a collective identity; the notion that one identifies with the 'other', thus forming a collective (Wendt, 1994, p.386). This view is supported by Emile Durkheim, who stressed the importance of feelings of solidarity, community and loyalty among people, thereby establishing a collective (Smith, 1983, p.29). Common traditions and history provides the basis on which this feeling of collectivity is based. Accordingly, these traditions are often highly respected, even glorified, and therefore very hard to change (Smith, 1983, p.29). These common traditions, history and culture, whether invented or real, are emphasized over and over through symbolism (Bell, 2003, pp.69-70). Although the creation of a collective through solidarity might appear positive, by definition the establishment of a collective, whether that is a community, a city or a state, means exclusion of the 'other' (Triandafyllidou, 1998, p.594). One of the most effective mechanisms through which the 'other' can be recognized and excluded is through the construction of territory. The construction of territory allows one to give meaning to space, to divide and unite parts of this space through the creation of borders (Penrose, 2002, p.280). It is borders that give meaning to concepts of 'us' and 'the other'. This rooting of historic origins and myths that place a people within a geographical space is the ultimate justification for territorial claims (Kelman, 2001, p.191).

This thesis therefore uses border conflict as a manner to observe identity conflict. This is done for two reasons; first of all, identity conflict can be both manifest and latent in nature, and border conflicts constitute a manifest form, which makes it easier to observe and verify. Secondly, border regions and associated disputes are the place where conflicts in identity are most likely to occur, due to the clash of different nationalities and coupled identities in border regions. According to Diez et al. (2004), identity related border disputes are hard to solve and have the potential to escalate into violence. Identity based border conflicts are characterized by two starkly opposing views based on legal or historical arguments that legitimize the claim (Diez et al., 2004, p.8). Responsibility for the conflict is invariably placed on the other side and both collective groups become blind for the perceptions and interests of the 'other' (Diez et al., 2004, p.8). Accordingly, the only way in which such national identity conflict over territory can be resolved is through the acknowledgement of both parties that the other also has a legitimate connection to the disputed territory, which turns the relation into one of shared elements of identity rather than mutually exclusive elements (Kelman, 2001, p.193). Bilateral border conflicts become a problem to EU accession negotiations when one of the states involved becomes an EU member and the other still a candidate.

As stated above, the Council of the EU establishes benchmarks to be achieved before the opening and closing of *acquis communautaire* chapters, which may include the resolution of border conflicts, therefore tying compliance directly to a change in identity in the candidate state (Council of the European Union, n.d.).

3.2 *Costs, benefits and compliance*

The understanding of how national identity is shaped and how conflicts emerge and can be solved leads us to the second part of the research question; explaining compliance. In their fundamental work, Schimmelfennig & Sedelmeier (2004) distinguish three separate models for compliance; (1) the external incentives model, (2) the social learning model and (3) the lesson drawing model. This thesis limits itself to the study of the ‘external incentives model’ to explain compliance during identity conflict for two reasons. First of all, the ‘external incentives model’ is concerned with cost/benefit analyses and since identity conflicts are expected to raise costs of compliance, this model is most appropriate in explaining the interaction of compliance and identity conflict. Secondly, the size and scope of the thesis suggests that focusing on the most appropriate model is better than including all three; choosing focus and depth over generalization and scope.

The ‘external incentives model’ is based on the theory of realism in international relations. As in realism, states are considered to be driven by rational strategic utility maximization; they aim to maximize their own power and welfare (Schimmelfennig & Sedelmeier, 2004, p.663). The central conditions for successful compliance to *acquis* chapters are the size and credibility of EU commitment (benefit) and domestic cost of compliance (cost). Accordingly, the main assumption of this model is that states will only comply when the benefits of EU rewards exceed the domestic cost of compliance (Schimmelfennig & Sedelmeier, 2004, p.664). The costs of compliance has two main sources; opportunity costs of missing alternative rewards offered from the adoption of non-EU rules by other bodies and secondly welfare or power costs for veto players (Schimmelfennig & Sedelmeier, 2004, pp.666-667). Generally speaking, adoption costs are said to be rather low when it comes to the *acquis* chapters, because contrary to democratic reform, the power position of those in government is not affected (Schimmelfennig & Sedelmeier, 2004). In case of identity conflict, adoption costs increase however. In order to explain why this is the case, we must turn to the logic of the ‘two-level game’. With ‘two-level games’ is meant that in international politics, there are two levels, the international, and the domestic (Putnam, 1988, p.434). At the domestic level, actors will pressure their government to pursue certain policies. In the case of identity conflict, the population (domestic actor) is likely to pressure the government to decline compliance to EU demands, due to the highly symbolic value of the identity related issue. Should the government ignore these pressures, it faces electoral punishment in the next elections (Schimmelfennig, 2008a, p.928). Due to the complexity of the ‘two-level game’, rational moves on the international stage, such as conceding territory in exchange for EU membership, are irrational at the domestic stage and vice versa (Putnam, 1988, p.434). We can therefore formulate the first hypothesis as follows:

Hypothesis 1: Compliance to EU demands will be lower in case of identity conflict, due to the increased costs of compliance to the candidate state

On the other hand, there is the benefit; benefits that have to be credible and large enough for candidate states to overcome their reservations and comply. In terms of size, the largest benefit the EU could give is membership itself, as it offers political prestige and economic growth. Credibility of EU membership is dependent on a number of conditions.

First of all, one must take into account the ability of the EU to withhold rewards with little to no costs to itself. In general, the asymmetric relation between EU and candidate states makes it relatively easy to withhold benefits. Whereas the candidate states are typically of low economic importance to the EU, the EU and the single market are considered of vital economic importance to candidate states (Schimmelfennig & Sedelmeier, 2004, p.665). More difficult however becomes the opposite; the ability of the EU to offer membership at low cost to itself. Let us consider accession of a candidate state into the EU. First of all, the EU requires institutional reform to accommodate for the enlargement; seats and voting weights have to be recalculated to represent the new reality (Schimmelfennig & Sedelmeier, 2004, p.665). The cost hereof, both in legislative but also in political terms will vary depending on the size and importance of the candidate state (Dixon, 2010, p.132). Due to the focus on identity conflict of this thesis, credibility of membership will be proven to be of great importance; whereas Croatian accession has been met with generally positive and consistent membership credibility, this has not been the case for Turkey. The model dictates that the EU can only compensate for increased costs of compliance by ensuring that the benefits are credible and large enough. If credibility of membership would come into question for the candidate, a calculation of costs and benefits would end compliance. The second hypothesis thus becomes:

Hypothesis 2: Candidate states can overcome identity conflict when the benefit of EU membership is credible, consistent and large enough

4.0 Methodology

In order to answer the research question and to test the hypotheses outlined in the sections above, we need to establish which cases are best suited and why, as well as outlining the research design with which the hypotheses shall be tested. In terms of case selection, it follows from the research question of this thesis that Croatia and Turkey have been selected to be studied, the procedure of selection being describe below in section 4.1. The research design chosen is an interrupted time series, using qualitative data to outline the context of identity conflict, and quantitative data on compliance to acquis communautaire chapters is measured over the time period 2006-2011 in Croatia and Turkey.

4.1 Case selection

This thesis focuses itself on the cases of Turkey and Croatia, but why has the choice fallen on these countries? In selecting my cases, I have wielded a number of criteria. First of all, cases had to vary on their score on the dependent variable (compliance). As is pointed out by Geddes (1990), it is highly dangerous to select your cases based on the same score for the dependent variable. For example, if I would have selected my cases on the basis of successful compliance, I could try to find out which variables the two cases have in common, and conclude that those variables must be the cause of the effect. However, in that situation one might have missed that certain cases exist in which compliance was not successful, even though the suggested causes were present there as well, suggesting that other variables are responsible (Geddes, 1990, pp.132-133). I therefore address this potential selection bias by selecting Turkey and Croatia, as they vary on the dependent variable. I am thus able to show that the variables present in Croatia are missing in Turkey, thereby enhancing the argument that those variables are responsible for the effect. The countries vary enormously on the variable of compliance; whereas Croatia has completed the accession process by closing all 35 Chapters, Turkey has only managed to close **one** Chapter.

Secondly, this difference becomes more interesting when choosing countries that started accession negotiations with the EU in the same time frame (2005).

Differences in score on the dependent variable can be argued to be more relevant when countries start negotiating at the same time, instead of comparing a country that just started negotiating with one that has done so for 20 years or so. In the latter case there will be more structural differences between the countries that influence the accession process. By selecting two cases starting negotiations in the same year structural differences such as motivation can be controlled; when a candidate has been negotiating for 20 years without achieving membership, this is a sign that motivation for membership may have been structurally lower compared to the country that has just begun negotiations. Similarly, a country negotiating that long could be a sign that it is being treated differently by the EU, meaning that we control for potential EU bias as well.

And lastly, selection was made on the experience of significant identity conflict with the EU during the accession process, in order to see whether changes in the independent variable (identity conflict) are met with changes in the dependent variable (compliance).

4.2 *Research design and data collection methods*

As stated above, Turkey and Croatia are observed over the time period 2006-2011 using an interrupted time series design, which combines both qualitative and quantitative data. An interrupted time series composes a series of measurements of the dependent variable, which is interrupted by the introduction of an intervention (the independent variable) after which another series of observations is made. Since it is hypothesized that the independent variable causes the dependent variable, one expects to observe a difference in the pre and post-intervention scores of the dependent variable (Shadish et al., 2002, p.172).

In terms of qualitative data, scientific articles, governmental papers, EU documents and newspaper articles have been used to measure the independent (identity conflict) and dependent variables (compliance). For both cases, it will be analyzed what the determinants of national identity are, how these determinants came to be sources of conflict with EU demands, how this conflict affected compliance and lastly how the outcome of the identity conflict can be explained along the lines of the 'external incentives model'. In order to confirm the findings on compliance, quantitative data from the *acquis communautaire* is used. Compliance to the *acquis communautaire* is a highly formalized and structured procedure. Every few months representatives of the candidate state and the Council of the European Union meet to negotiate on the opening, closing, freezing and/or unfreezing of *acquis* chapters. Accordingly, the most accurate manner in which to measure *acquis* compliance is through the use of the council press statements following these meetings, in which the agreements are discussed. Accuracy is important when making use of an interrupted time series; the timing and size of the change in trend for the dependent variable needs to be accurately measurable in order to establish whether it was indeed the intervention (independent variable) that caused the change in trend. The opening, closing, freezing and unfreezing of chapters can be considered 'immediate' effects on compliance, as there is no delay in the effect. An 'immediate' effect is preferred over 'delayed' effects, since 'delayed' effects require sound theoretical justification for judging when the effect should become visible (Shadish et al., 2002, p.173). For Croatia and Turkey, the process of *acquis* negotiations commences in 2006 after having been given the green light by the EU, and has ended in 2011 for Croatia and is still ongoing for Turkey. This thesis limits the time span of observation to the period 2006-2011, as this is the period in which both countries can be compared, since Croatia finished all chapters in 2011. Since, compliance is measured on a monthly basis, this time span leads to a total of 72 observations per country.

According to hypothesis 1: Compliance to EU demands will be lower in case of identity conflict, due to the increased costs of compliance to the candidate state. It is therefore hypothesized that compliance of Croatia and Turkey will show loss of momentum during phases of identity conflict as identified in the qualitative section. For Croatia, the qualitative data shows us that identity conflict was overcome after a period of eleven months. This means that the intervention is removed at that point, and we should see a recurrence of positive trend after this time frame. This pattern follows the logic of a removed treatment design, a type of interrupted time series in which the intervention is introduced and later removed at a known time (Shadish et al., 2002, p.188).

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The qualitative data shows that for Turkey, the identity conflict over the island of Cyprus has not been resolved to this very day. The hypothesis thus suggests that we should see a pattern of null compliance for Turkey after the identity conflict starts to be connected to acquis chapter compliance. Therefore, a standard interrupted time series is employed, in which the intervention is not removed over time.

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4.3 Threats to validity

The main restriction of the thesis is its ability to generalize findings (external validity). First of all, the setting of the design is focused on EU compliance, which hosts a very specific structure in which candidates have rather high potential benefits, both in political as well as in economic terms. It may be that findings do not hold in other settings (Shadish et al., 2002, p.87). Secondly, the specific findings are restricted to the two selected cases; Croatia and Turkey. Since each country is unique in itself, findings cannot be applied to countries that have not been studied. For instance, Turkey's situation is unique in the sense that it has negotiated with the EU for decades, without results. Similarly, Croatia is unique in the outcome; it may not be possible for other countries to prevent costs in the way Croatia did. Furthermore, this thesis has focused itself on the 'external incentives model' as a theoretical model for explaining compliance, but as mentioned in section 3.2, there are alternative theories as well. It may therefore be that although this model is able to explain compliance using its assumptions, the other models are also potentially able to offer insights.

Having said that, the findings of the thesis can still be regarded as valuable. First of all, through the study of Croatia and Turkey, it offers an explanation as to why there is a difference in compliance between these countries. Such findings are relevant for the near future of the EU's enlargement program, as these countries compose the latest enlargement round. Furthermore, the case of Turkey is becoming increasingly problematic for the EU, having the potential to damage its reputation by questioning the objectivity of its enlargement program. Secondly, the thesis has shown that the suggestion that newer candidates are more problematic due to identity conflict is not true. The case of Croatia shows that although identity conflict indeed has the potential to slow down compliance and cause disturbances, it can be overcome when benefits are large and credible, thus negating costs incurred through compliance.

5.0 Identity conflict in Croatia: nation building and border conflict

The formation of national identity is a continuous process that changes nature over time. In this thesis, national identity formation in Croatia following the breakup of Yugoslavia is used as a basis.

This period has been chosen for two reasons; first of all, this identity is the most recent formation and is still present today and is thus of particular relevance for its accession process into the EU. Secondly, the break-up of Yugoslavia provides the foundation for the border conflicts between the neighboring countries that are based on the conflict of identity in early nation-building processes. Furthermore, the analysis of identity is examined from the aspect of territory, as this is most relevant to the later analysis of identity conflict over territory, as well as due to the specific post-war circumstance that formed the Croatian nation.

5.1 *Croatian national identity: love of territory through war*

Being a relatively young nation, national identity for Croatia has been formed quite recently in the process of nation building in the post-Yugoslavia years. During nation building, the role of territory cannot be overstated; the new state has to assert itself on the international stage and demarcate its territory over which it has sovereign authority. A very clear message on territory can be taken out of the Croatian anthem; ‘Lijepa Naša Domovino’ (‘Our beautiful homeland’). The anthem specifically focuses itself on the adoration of the Croatian homeland, its territory and features, thereby leaving out other prominent themes of national anthems such as calls for unity, the struggle against former, current or potential enemies or the description of superior qualities of the collective (Kelen & Pavković, 2012, p. 251). Naming of geographical features is used for a specific purpose; the demarcation of their territory during early nation-building (Kelen & Pavković, 2012, p. 252). Besides the declaration of Croat’s love of their homeland, the anthem contains a specific command to spread this fact to non-Croatians: “Deep blue sea, tell the world, that a Croat loves his homeland” (Kelen & Pavković, 2012, p. 250). This is thus a clear message to non-Croatians that the love of their homeland must be known to all and stands in the way of anyone who would want to violate their territorial integrity (Kelen & Pavković, 2012, p. 253).

The reason for emphasizing territorial integrity both to themselves but equally important to outsiders as well, can be found in the post-Yugoslavian history of Croatia. Following Croatia’s secession from the Socialist Federal Republic of Yugoslavia (SFRY) in June 1991, the Serbian minority in Croatia living in the Krajina region attempted to secede from Croatia as the Republic of Serb Krajina (Kelen & Pavković, 2012, p. 254). Within a year, roughly one-third of Croatian territory had fallen in the hands of the Serbian army (Strabac & Ringdal, 2008, p.769). The war was extremely cruel, characterized by a heavy toll on civilian populations through forced displacement and genocide. It is thus that Croats have established the will to prevent further hostile breaches of their territory, to prevent further harm to their population and territorial integrity. Furthermore, the breakup of Yugoslavia was very chaotic; due to the fact that ethnicities lived highly dispersed throughout the countries, there was a sudden need to emphasize ‘Croatness’ when the breakup occurred; ‘Croatness’ had to be constructed as distinct from the other ethnic groups. Tudjman attempted to separate Croatia culturally from the Balkan region as a whole, instead hoping to belong to Europe (Bellamy, 2003, p.69). The reason why Croatia has been so eager to escape the Balkan and Slavism is because “Serbia and Croatia have historically been closely linked: more than 10 percent of Croatia’s population is ethnically Serb, the Serbian and Croatian languages are linguistically very similar, and Croats and Serbs are both considered ethnically Slav” (Razsa & Lindstrom, 2004, p.634). After the war, Croats no longer wanted to be associated with the Serbs, did not want to be confronted by the fact that ethnically, they were similar to the Serbs, the people that had attacked them so aggressively during the war.

We can thus conclude from this section that Croatian national identity is formed by two crucial processes.

First of all, strong nationalistic sentiment based on territory through wartime experience and secondly, a desire to belong to the European Union through constructing an identity that is separate from the rest of the Balkan.

5.2 *Bay of Piran dispute as a manifestation of identity conflict*

The bay of Piran is a small stretch of sea located in the larger bay of Trieste in the northern Adriatic. The bay is located in between two peninsulas; Savudrija and Piran, with the former belonging to Croatia and the latter to Slovenia (Avbelj & Čerňić, 2007, p.3). The bay of Piran became territorially disputed upon the declarations of independence of the two bordering nations.

In terms of land borders, there were hardly any conflicts, since administrative borders had existed under Federal Yugoslavia, and were thus adopted as formal borders after the breakup (Avbelj & Čerňić, 2007, p.3). Sea borders had not been specified however, as the entire territorial sea of Yugoslavia was considered one entity that was federally owned (Avbelj & Čerňić, 2007, p.4). It was thus that upon declaring independence, Croatia and Slovenia had to figure out how their territorial waters should be divided, the bay of Piran being a hot topic since the bay is situated directly at the land border between the two countries which largely follows the Dragonja river that flows into the bay.

From the perspective of Croatia, the National Assembly has stated that any agreement should follow the United Nations Convention on the Law of the Sea (UNCLOS) Article 15; the maritime border in the Piran bay should be drawn according to the principle of equidistance, which means in the middle of the bay (Arnaut, 2002, pp. 39-40). It is further stated that as long as the border is not ultimately settled, both coastline countries, Slovenia and Croatia, should withstand from any exercise of sovereign authority transgressing the line of equidistance (Avbelj & Čerňić, 2007, p.10). Slovenia on the other hand argues that it has a historical claim over the entire Piran bay based on the Osimo Treaty of 1975 between Italy and Slovenia (then part of Yugoslavia) which determined the division of previous Slovenian territory between Italy and Yugoslavia (Osimo Treaty, 1975). In this Treaty, Slovenian territory was determined to include the entire bay of Piran (Klemenčić & Gosar, 2000, p.133). It further argues that the principle of equidistance is not applicable, since this principle should not be employed when historical conditions warrant a different division of territorial waters. They cite the rulings of the International Court of Justice (ICJ) in the 'North Sea Continental Shelf' cases in which the ICJ held that special circumstances may obstruct the use of equidistance (Avbelj & Čerňić, 2007, p.7).

One of the main reasons for the strong Slovenian position is access to international waters, which is impossible for Slovenia under current conditions (see figure 1 in the appendix). However, closer examination of the UNCLOS shows that this reason cannot explain the conflict. According to article 17 of the convention, any vessel from any state is allowed innocent passage (peaceful purposes) through territorial waters of other states (UNCLOS, 1982, p.30). Furthermore, article 24 states that vessels may not be hampered of their peaceful access in territorial waters whereas article 26 makes clear that no taxes may be levied on access (UNCLOS, 1982, p.33). The UNCLOS shows us that economic motivations cannot explain the conflict; Slovenia would be able to do commerce in an unrestricted way without direct access to international waters. Instead, we must look to identity as an explanation; Slovenia has stated that Croatia is actually not rightful to possess the Savudrija peninsula on the other side of the bay, by arguing that ethnic Slovenes have historically and presently been present there (Avbelj & Čerňić, 2007, p.6).

In 2001, the prime ministers of Slovenia and Croatia, Janez Drnovšek and Ivica Račan, agreed upon a solution to the bay of Piran dispute, known as the Drnovšek-Račan agreement (Arnaut, 2002, p.41). This agreement was favorable to Slovenia; it received 80% of the territorial waters in the bay and furthermore a 'high seas corridor' was to be created between the international waters and Slovenian territorial waters (Arnaut, 2002, p.42). According to Croatian prime minister Račan however, this agreement was still desirable since "Croatia's aspirations to join the European Union and NATO cannot be fulfilled as long as unresolved territorial disputes with the neighboring states persist" (Arnaut, 2002, p.43). This corresponds with the rational cost-benefit approach of the external incentives model as described in hypothesis 2; candidates can overcome identity conflict when size and credibility of rewards is large enough.

However, as we have established in section 3.2, international relations are not limited to the international stage and societal elites, it is a two-level stage also including domestic actors. Although the Croatian governmental actors have primarily been favorable to EU induced reforms through their pursuit of escaping the Balkan identity, the population has been more EU skeptic. In fact, the Croats constitute the most skeptical candidate state on a structural basis; support for membership was 30% in 2004, a small rise to 32% in 2006 and down to only 23% in 2010 (EuroBarometer 2005b; EuroBarometer 2006; EuroBarometer 2010). The primary reason for skepticism is the outrage of the Croatian population to the EU demand of extraditing war criminal Ante Gotovina to the ICTY in the Hague (Štulhofer, 2006, p.142). Proclaimed a national hero, the extradition was seen as unjustifiable to the people, who formed their identity through the war-time experience. As shown by section 5.1, territory constitutes a central element of war-forged Croatian identity. Therefore, the suggested transfer of territory to Slovenia under the proposed agreement was met with huge public outrage and media coverage (Arnaut, 2002, p.43). As a result, the Croatian parliament did not ratify the agreement (Arnaut, 2002, p.43). Following the non-ratification of the agreement, the anger of the Croats was demonstrated through political punishment; Račan was voted out of office in 2003 in favor of Ivo Sanader of the nationalistic 'Croatian Democratic Union' or 'Hrvatska Demokratska Zajednica' (HDZ) (Noutcheva & Aydin-Düzgit, 2012, p.65). The HDZ had been the prime opposition party to the agreement and argued that no territory should be given up. This case of electoral punishment shows how the two-level game connects with the 'external incentives model'; Račan had future EU membership in mind when forging the agreement, ignoring the will of the domestic level, which led to the cost of electoral punishment. His successor, Sanader, realized that solving identity conflict through territorial concessions would lead to political costs and therefore refused to do so, a finding in line with the two hypotheses. Since the dispute was still unresolved, it became more problematic for Croatia after 2004; upon Slovenia's EU membership the resolution of the dispute would be directly tied to its own accession.

5.3 The effects of the dispute on Croatian compliance

The connection of the dispute to acquis compliance by Croatia becomes apparent in December 2008. As a part of complying to the acquis chapters under the accession process, countries are required to show documentation on their progress in the fields of the acquis chapters. The bay of Piran dispute flared up when Croatia provided documentation for several chapters that prejudged the border, despite the lack of a settlement (Sancin, 2010, p.98). In a reaction this, Slovenia froze thirteen chapters of Croatia until the Piran conflict would be settled. As indicated in the above section, Croatia was governed by Prime Minister Sanader (HDZ) who stated that: "We won't buy our membership of the EU with territory" (Vucheva, 2008). Therefore, no progress was made on the Piran conflict in the following months, leading to deadlock in acquis compliance.

A breakthrough was made following the unexpected resignation of Sanader in July 2009, who was followed up by the more moderate Jadranka Kosor. Kosor proved to be more willing to solve the dispute through compromise; in September 2009 she send a letter to the Swedish Presidency of the Council of the EU in which she declared that the documents provided will have no legal effect on the final settlement of the border, thus removing Croatian border prejudice (Sancin, 2010, p.99). Following this declaration, Slovenia lifted its veto on the acquis chapters. In November, both countries signed an ‘Arbitration Agreement’, which submits the case to an expert committee (containing one Croat and one Slovene) which will decide on the final border.

As can be seen in figure 1 below, Croatian compliance to the acquis chapters shows a positive trend from 2006 till December 2008 when the Piran dispute flared up. From that point on, Croatia has not opened or closed any chapters for eleven months until October 2009, after which the positive trend of compliance continues as before. The quantitative data of this figure shows the effect of the identity conflict for Croatia, it froze their compliance during the conflict after which compliance returned to pre-conflict levels.

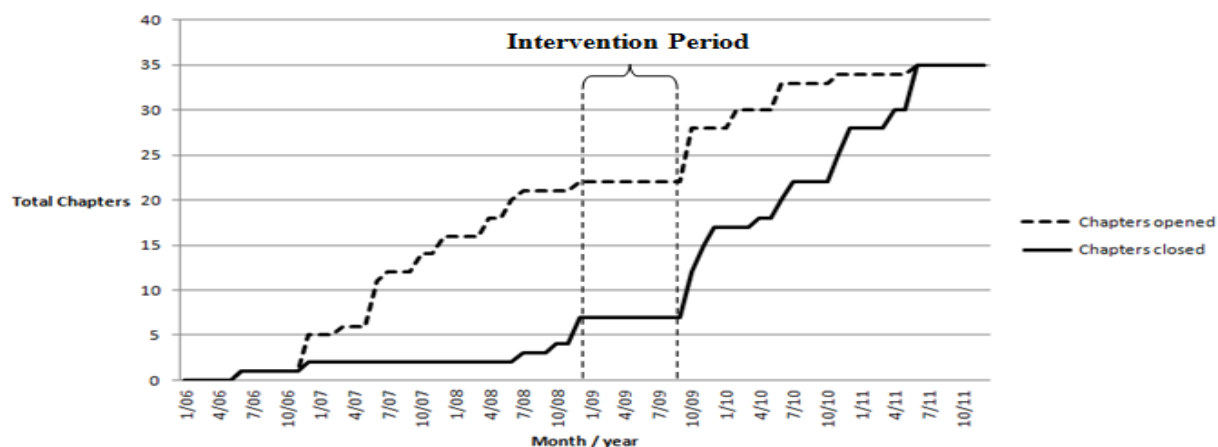


Figure 1: EU acquis communautaire chapters opened and closed by Croatia over the period 2006 – 2011¹

The outcome of the Piran bay dispute can be explained when considering costs and benefits of compliance under the ‘external incentives model’. First of all, the EU has made it clear that it fully supports Croatia’s membership, through the active involvement of Enlargement Commissioner Olli Rehn in finding a compromise between the parties. The mediating role of Rehn is peculiar in terms of activism; the Commissioner proposed several solutions and eventually suggested international arbitration through a bilateral agreement since the positions of the countries were too diverse (Hoffmeister, 2012, pp.102-103). The commitment of the Commission to solving the conflict is a clear sign that the EU wants Croatia to become a member state, raising the size and credibility of the benefit of compliance. Secondly, public opinion in the EU towards Croatian membership has been steadily positive; 52% of Europeans indicated support in 2005, compared to 47% in 2010 (EuroBarometer 2005a, p.159; EuroBarometer 2010, p.62). The reason for the small drop is the economic crisis, which fueled opposition to all candidates, including Switzerland and Norway, which have always been highly regarded potential members (EuroBarometer, 2010, p.62). Croatia has consistently received higher ratings than the other candidate states.

¹ Data from: Council of the European Union (2006b, 2007a, 2007b, 2007c, 2008a, 2008b, 2009a, 2009b, 2010a, 2010b, 2011a and 2011b)

In terms of costs, the ‘Arbitration agreement’ offers us an insight into what motivated Croatia to overcome identity conflict. According to article 11 (3) of the treaty, international arbitration will only commence its procedures *after* Croatia has signed the EU accession treaty (Arbitration Agreement, 2009, p.4). Although this may seem a minor decision of timing, it is indeed very crucial for the accession process. Since the decision would not be made until after accession, compliance to EU demands was effectively disconnected from the resolution of the conflict. This meant that neither party would risk losing face / public support over the decision during the accession process, as occurred to Croatian Prime Minister Račan in 2003 for wanting to give up territory to Slovenia. By the logic of the ‘external incentives model’ and the two-level game therefore, it made sense for the Croatian elite to comply, since electoral punishment would not follow this act since it became disconnected.

The case of Croatia thus shows us that through the aversion of costs and the credible and large benefit offered by the EU, identity conflict can be overcome.

6.0 Identity conflict in Turkey: the Cyprus question

In order to confirm the findings of the previous chapter regarding compliance through the ‘external incentives model’ despite identity conflict, this thesis will now turn focus to the second country under study; Turkey.

6.1 Turkish national identity: integrity through ethnicity

Turkish identity cannot be explained without linking it to its origin in the late Ottoman era. Upon the establishment of Turkey following World War I, there was a need to establish what a ‘Turk’ is, and what sets it apart from others. This contradicts the multi-ethnic nature of the Ottoman Empire, which hosted a wide range of ethnicities, and assimilated all in the empire using the so-called ‘millet’ system (Yeğen, 1999, p.557). It is thus that the creation of the Turkish state is accompanied by the ‘Turkish History Thesis’, which stated that Turks were an ancient race, which originally inhabited central Asia but was forced to move. The Turks were said to have brought civilization to the regions they migrated to, including Anatolia in modern-day Turkey (Çağaptay, 2002, pp. 69-70). Although Turks had mixed overtime, the Turkish language had prevailed and was thus considered to be the determinant of ethnic nationality (Çağaptay, 2002, p.70). The Latin based Turkish was therefore re-established to replace Ottoman Arabic, thereby cutting ties with Arab speaking groups (Mellon, 2006, p.71). The establishment of ethnic Turkish nationalism also caused the denial of Kurdish ethnicity by Turks. Instead they were labeled ‘Mountain Turks’, who caused unrest for political rather than ethnic reasons. The desire for a 100% Turkish nation stems from the Ottoman past; a multi-ethnic empire that crumbled due to uprisings of its ethnic components (Yeğen, 1999, pp.558-559).

As discussed in section 3.2, the domestic level and its interaction with the actions of societal elites on the international stage is important in the functioning of the ‘external incentives model’. In Turkey, the domestic level is not only composed of the population, but also the military, which has traditionally played a powerful role in Turkish politics. After the humiliating defeat of the Ottomans in WWI, the military staged a coup under general Kemal, who later named himself Atatürk, father of the Turks (Mellon, 2006, p.73). Ever since this revolution, the army has seen itself as ultimate guarantor of the continuation of the Kemalist fundamentals and ideology (Mellon, 2006, p.74; Schimmelfenning et al., 2003, p.506). This perceived role has led to frequent military interventions in politics, including coups and forced resignations, when policies of government became too Islamist (Mellon, 2006, p.74).

This power has become increasingly contested however, through the process of EU fuelled democratization in Turkey. Due to the high public support EU membership has had in Turkey over the years, the military has not been able to undermine this trend (Çelenk, 2007, p.357). As a result of democratization, the military has no longer been able to be as politically active as before, a trend that has led to the emergence of Islamic parties, such as the AKP (Müftüler-Baç, 2011, p.286; Saatçioğlu, 2011, p.35; Ulusoy, 2009, p.374). For practical reasons therefore, the AKP has opted for a pro-EU and pro-democratic policy (Cinar, 2006, p.480; Sambur, 2009, p.121). Its pro-EU stance is used to justify and solidify its position vis-à-vis the military.

6.2 *The Cyprus conflict as a manifestation of identity conflict*

The island of Cyprus was originally settled and cultivated by ethnic Greeks. Over the centuries, Cyprus has been continuously occupied by others, such as the Romans the Byzantines and the Venetians (Kliot & Mansfield, 1997, p.496). The root of the Cyprus problem can be found in 1570-71, when the Ottoman Empire conquered the island, leading to an influx of Ottoman people (Kliot & Mansfield, 1997, p.496). As was common throughout the Ottoman Empire, Cyprus was governed by the millet system, which granted religious autonomy to the Ottoman and Greek ethnicities on the island. Although the system maintained peace, it was an uneasy one, as tensions would remain present. When Greece revolted from the Ottoman Empire, Greek Cypriots were encouraged by the same Greek nationalistic drive that fueled the uprising (Kliot & Mansfield, 1997, p.496). It was this uprising that has led to the Greek-Turkish tensions that persist until the present day, both between the two countries, as well as on the island. Indeed, the two ethnicities base their identity solely on their respective ‘mother’ nations, Greece and Turkey, raising their flags on days of national festivities (Kliot & Mansfield, 1997, p.497). During the following decades, the Greek ethnicity took up greater shares of the population on the island, turning the Turks into a shrinking minority in the north. Towns and life became increasingly segregated, and hostilities increased until a boiling point was reached in 1955 when conflict broke out on the island lasting until 1959, when the conflict was ended by declaring Cyprus an independent state (Kliot & Mansfield, 1997, p.497). This independence was short-lived; a constitutional crisis in the ‘60s lead to renewed conflict and the establishment of UN peacekeepers to separate the ethnicities. In 1974, Turkey invaded the island, conquering the northern part and establishing the Turkish Republic of Northern Cyprus, the state it still recognizes until today (Kliot & Mansfield, 1997, p.497). This act is legal given Turkey’s and Greece’s right of intervention under the Treaty of Guarantee signed between Greece, Turkey and the United Kingdom in 1960 when Cyprus was declared independent (Treaty of Guarantee, 1960).

It is in the Cyprus dispute that the features of Turkish identity are manifested. First of all, since ethnicity constitutes a central determinant for Turkish identity, it is not surprising that the protection of and partnership with ethnic Turks in other countries became an important foreign policy goal (Batuman, 2010, p.225). This interaction and protection of ethnic Turks extends to Cyprus since the ethnic composition of Northern Cypriots is Turkish (Fisher, 2001, p.309). Indeed, until recently, maps of Turkey used in school textbooks effectively cut Cyprus in half, including only Northern Cyprus on the map (see figure 2 in the appendix). Although Northern Cyprus is not designated as Turkish territory, it is made perfectly clear that Turkey considered Cyprus as two states. It also shows that the Northern half belongs in its sphere of influence and protection (Batuman, 2010, p.224).

Secondly, the conflict between the AKP and the military can be observed in Turkey’s policy as well. Until the rise to power of the AKP, the military played a strong role in Turkish politics and foreign policy.

The policy of the military to Cyprus has been the ‘two-state solution’ (*Taksim*); the creation of two independent states separating the ethnicities (Çelenk, 2007, p.351). This was seen as the best way to ensure protection of the Turkish minority living on the island. It is thus that the Turkish invasion was ordered in order to protect the minority from Greek oppression. Upon its election in 2002, the AKP radically changed Turkish policy to Cyprus. It indicated its willingness to solve the conflict through advocacy of the ‘Annan Plan’, which prescribed unification of Cyprus, in which both groups enjoy limited autonomy under a federal system. This was a break from the previously held policy in Turkey of the ‘two state policy’ (Çelenk, 2007, p.351). This change was made possible due to the opening of a window of opportunity between 1999 and 2004. After receiving candidate status, Turkey was aiming to reach the next stage; accession negotiations. In the wording of the ‘external incentives model’, there was an incentive for Turkey to comply due to the prospect of large and credible benefits which compensated the higher costs of identity conflict. The AKP thus promoted the plan to Turkish Cypriots, urging them to vote in favor in the referendum. Although the Turkish Cypriots approved of the plan, the Greeks voted it down, rendering the plan and window of opportunity dead. Upon the entry of Cyprus into the EU in 2004, the Cyprus conflict became inseparably linked to Turkish compliance and membership. The following section aims to describe and explain Turkish compliance in the light of its identity conflict over Cyprus.

6.3 How the Cyprus conflict affects Turkish compliance

The starting point of linking national identity with EU demands is Cypriot membership in 2004. The EU decided to allow the Greek Cypriots to become an EU member state as a representative of the whole island “without waiting for a peaceful, balanced, and durable solution to the Cypriot problem” (European Commission 1993, as cited in Sertoglu & Ozturk, 2002, p.63). With hindsight, this decision seems to contribute to the current deadlock facing Turkish accession. Since the EU was in favor of the Annan Plan (Hoffmeister, 2012, p.101), why was its implementation not made a condition for Cypriot entry as a member, similar to how the resolution of the conflict is now conditional to Turkish membership? By granting Cyprus membership, the EU lowered the chance of a constructive conclusion of the conflict; Greek Cypriots no longer had an incentive to solve the conflict or to make concessions since they were already a member state. This heavily disadvantaged Turkey’s position in the accession negotiations, since a solution of the conflict is the only path towards membership (Çelenk, 2007, p.354). More importantly, it damaged the legitimacy of the EU enlargement program in the eyes of Turkish citizens. Ever since 2004, we can detect a drop in support for EU membership policies in Turkey; whereas support for membership was 62% in 2004, it was only 54% in 2006, and even lower in 2011 (41%) (EuroBarometer, 2005b,p.70; EuroBarometer, 2006, p.119; EuroBarometer, 2011, p.33).

The causes for this drop in support are twofold. First of all, the decision by the EU in 2004 to classify the Turkish accession negotiations as ‘open-ended’, cast doubt among the Turkish population (). In their eyes, this appeared to be a way out for the EU, which shows increasing signs of unease over Turkish membership. This feeling is enforced by the fact that Greek Cypriots had been able to manipulate the institutional mechanisms of the EU against Turkey. The EU had promised to ease trade restrictions on the Turkish Republic of Northern Cyprus in exchange for supporting the ‘Annan Plan’, but failed to honor this promise (Oğuzlu & Kibaroglu, 2009, p.587). Instead, the EU rewarded the Greek Cypriots with EU membership, despite the fact that they had voted against the ‘Annan Plan’ and thereby obstructed a constructive solution. Cyprus has no further incentive to make compromises with Turkey, as it knows that Turkey’s accession is linked to the resolution of the conflict.

Secondly, during the same time period (post 2004), Turkey received more negative signs from political elites in prominent member states. In 2005, Angela Merkel of the ‘Christlich Demokratische Union Deutschlands’ or ‘Christian Democratic Union’ (CDU) was elected as Chancellor of Germany. She has been avidly opposed to Turkish membership, instead offering them privileged partnership in a November 2007 congress of the CDU, an offer written into official party documents (Oğuzlu & Kibaroglu, 2009, p.587). Simultaneously, the President of France (Jacques Chirac) has supported this suggestion of a privileged partnership (the Guardian, 2005). In 2007, the position of France becomes even harder, upon the election of Nicolas Sarkozy. Sarkozy decided to freeze five chapters of the acquis that are considered only of relevance to future member states, and he does not see Turkey as a future member state (Nas, 2011, p.166). As Germany and France are two of the most important EU member states, this is a clear signal to Turkey that it is, at least at present, unable to join the EU regardless of whether they comply. For Turkey, the benefit of privileged partnership is not high enough, it wants and has always wanted, full membership.

For the AKP, the primary motivators for its wave of compliance in the window of opportunity (2002-2004) were political survival vis-à-vis the military, and secondly electoral gains, since a pro-EU stance was highly favored by the Turkish public in those years (Saatçioğlu, 2010, p.21). Through the loss of public support for EU membership as a result of the lack of believe in Turkey that membership can be reached, it has lowered its compliance post 2004, in line with the assumption of the two-level game (Saatçioğlu, 2010, p.25). On the other hand, it cannot completely give up on the EU enlargement project, because it remains the main tool for the AKP to legitimize and solidify their position in Turkish society vis-à-vis the military (Saatçioğlu, 2010, p.26). As such, the Turkish accession process has dragged on, without any real compliance and no resolution of the conflict, in which neither side appears willing to move. The situation as outlined here is clearly represented by the quantitative data in figure two below. Turkish compliance to the acquis has indeed been remarkably slow since the start of accession negotiations. Only one chapter has been closed, and only 14 have been opened over a time frame of 6 years. And in fact, no chapters have even been opened since early 2010.

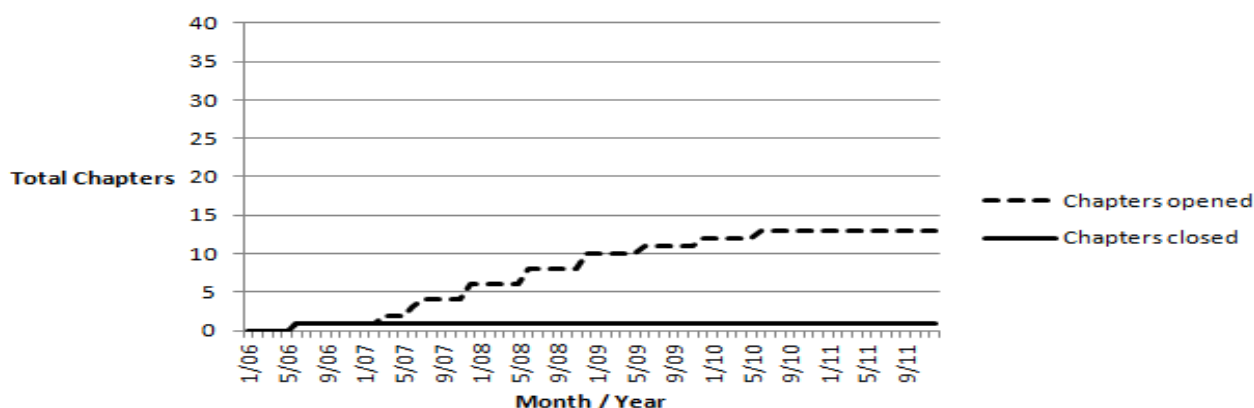


Figure 2: EU acquis communautaire chapters opened and closed by Turkey over the period 2006 –2011².

Until this present day, the Cyprus issue continues to be the biggest burden to preventing Turkish compliance. Turkey has refused to extent the ‘Additional Protocol’ to Cyprus following its membership, which is supposed to create free trade between EU member states and Turkey (European Community, 1972). Ankara refuses to recognize Cyprus as a member state until the conflict is resolved (Nugent, 2002, p.135).

² Data from: Council of the European Union (2007d, 2007e, 2007f, 2008c, 2008d, 2009c, 2009d and 2010c).

Following the failure of diplomatic efforts by the Finnish Council presidency to solve the conflict over the ‘Additional Protocol’, the Council decided to freeze eight chapters (see figure 2 below) and the closing of no further chapters until Turkey would comply with the Protocol in its meeting of December 2006 (Council of the European Union, 2006a). These eight chapters have been extended over the years by another ten chapters (see figure 3 below), five of which were blocked by France in June 2007 citing the reason that those chapters are strictly related to membership, while France under Sarkozy opposed Turkish EU membership (Nas, 2011, p.166). A second set of five chapters were blocked by Cyprus in December 2009, as an additional punishment for Turkey not recognizing Cyprus and extending the ‘Additional Protocol’ (Nas, 2011, p.166). In other words, Turkey’s accession process is deadlocked; half of the chapters are frozen, and even those 14 that have been opened cannot be closed until Turkey recognizes Cyprus.

Figure 3 confirms these findings, it can be shown that for Turkey, the deadlock in negotiations originates from the Cyprus dispute, a dispute that become related to its accession in 2004 when Cyprus became a member state. The flaring up of the conflict in December 2006 over the ‘Additional Protocol’ led to the freezing of chapters and prevented Turkish compliance.

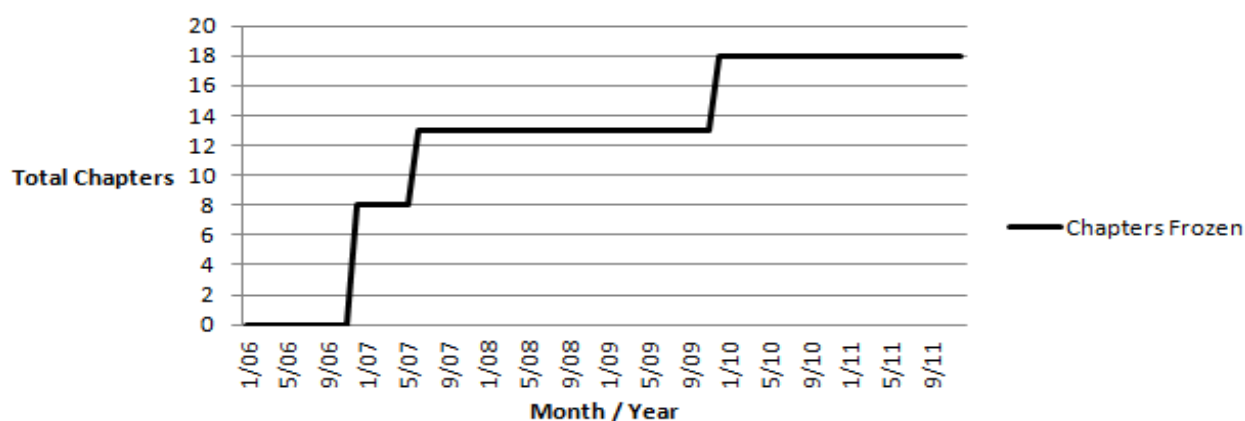


Figure 3: EU acquis communautaire chapters frozen for Turkey over the period 2006-2011.³

When describing this situation in the wording of the ‘external incentives model’, we conclude that Turkey faces increased costs of compliance due to the significance of Cyprus, on the basis of ethnic nationalism on which Turkish identity is founded. The logic of the two-level game dictates that the loss of public support for EU membership in Turkey limits the space for compliance of the elite. It is thus that we can observe that the trend of lowering public support is mirrored by lowering Turkish interest in compliance. In terms of benefits, it can be observed that both the size and credibility have grown smaller for Turkey. Officially, the size of the benefit is still high; the Helsinki European Council meeting of 1999 resulted in candidate status for Turkey, offering full membership, the largest benefit the EU can offer (Schimmelfennig, 2008b, p.3). However, it is to be noted that the announcement stated that accession talks are ‘open-ended’, with no guarantee of membership (Eralp & Beriker, 2005, p.187). Indeed, we have recognized that German and French ruling politicians have suggested the possibility of a privileged partnership, which is far less significant than membership. The suggestion of a privileged partnership therefore simultaneously also lowers the credibility of the benefit of membership. This credibility is further lowered by the threat of referendums on Turkish membership in several countries, as well as the mediating role played by the Commission.

³ Data from: (Nas, 2011, p.166).

A stark contrast can be made between the passive stance of the Commission during the Cyprus conflict, and its active mediation during the bay of Piran dispute. By punishing Turkish Cypriots and Turkey despite their support of the ‘Annan plan’ for reunification, while simultaneously allowing Greek Cyprus to become a member state regardless of their rejection of the plan, the EU lost credibility in the eyes of Ankara. Therefore, when considering the ‘external incentives model’ there is no incentive for Turkey to comply with EU demands and overcome its identity conflict since the benefits are not large enough and credible to compensate for the rise in political costs incurred under the logic of the two-level game. Since the political costs of compliance are higher than the benefits, Turkish compliance is fully in line with the assumptions of this model.

7.0 Conclusions

This thesis had the aim to provide an insight into conflict that might arise from the obligations of compliance in the Europeanization process and national identity. It thus set out to answer the following research question:

What is the effect of identity conflict on compliance by Croatia and Turkey with the *acquis communautaire* chapters?

This question has been approached by laying out the theoretical foundation, establishing that Europeanization and national identity are in some situations mutually exclusive. As such, border conflicts in the recent candidate states of Croatia and Turkey have been examined, as they are manifest expressions of identity conflict, allowing for accurate measurement.

The conflict of these two forces is brought into connection with compliance; when EU demands come into conflict with identity, it is hypothesized that compliance will become inconsistent or stop altogether through the increase of political costs under the two-level game. However, the theory also suggests that identity conflict may be overcome through the establishment of large and credible benefits, thus shaping the second hypothesis. In order to prove these hypotheses, a multi-method design has been employed, combining the qualitative data of a dynamic comparison with the quantitative data of an interrupted time series design.

The cases of the bay of Piran and Cyprus have shown that identity related conflicts raise the costs of compliance for candidate states. Through qualitative data, it is shown that these conflicts raised the costs of compliance, as political representatives in candidate states would suffer political punishment for complying with demands that contradict identity under the theory of the two-level game. The quantitative data of compliance with the *acquis* supports these findings. For Croatia it is shown that during the border conflict with Slovenia, compliance stopped, whereas it was positive both before and after the conflict. Turkey, which has not overcome their conflict until this day, is still deadlocked and refuses to comply. It is thus that we turn to the answer of the sub-question:

Why has Croatia complied with EU demands of the *acquis communautaire* chapters despite identity conflict while Turkey has not?

Findings in qualitative data show that the primary difference between the two cases regards the cost-benefit relationship. For Croatia, identity conflict could be overcome through the show of consistent and credible support of the EU for its membership, which raised benefits for Croatia and thus provided more incentive to comply.

The active role of the Commission in mediating the conflict and support across EU member states for Croatian membership provided an incentive for Croatia to comply, knowing that the benefit was large (membership) and that this benefit was credible. Furthermore, costs were ingeniously averted through the establishment of an international committee that would judge the border *after* Croatian accession, thus separating compliance from the resolution of the border conflict. This prevented the possibility of domestic electoral punishment for the Croatian elite, a finding in line with the logic of the two-level game.

Whereas Croatia has been successful in overcoming the hurdle of identity conflict on the road to accession, Turkey has not. It has been shown that the assumptions of the ‘external incentives model’ can also be applied to this case as well. A small window of opportunity arose between 1999 and 2004 during which identity conflict could have been overcome. During this timeframe, Turkey had received candidate status and was thus faced big and credible benefits. Furthermore, domestic support for EU membership was very high, giving the Turkish government space for compliance in the absence of possible electoral punishment. It is thus that at the time, the AKP radically changed Turkish policy towards Cyprus from the ‘two state solution’ to one of reunification. This window is shut in 2004; after the failure of the Annan plan, Cyprus became a member state and refused to make concessions. Turkey faces increasingly lower prospects of membership, with increased opposition from Germany and France in particular, although public support for Turkish membership is consistently low throughout the member states. As such, there is no incentive for Turkey to overcome their identity conflict; even when Turkey would comply to EU demands, membership is still far from certain. Furthermore, support for membership within Turkey has consistently fallen throughout the years, lowering the space for compliance and heightening the chance of electoral punishment over EU demands.

In short therefore, the findings of these two cases confirm the two hypotheses of this thesis:

Hypothesis 1: Compliance to EU demands will be lower in case of identity conflict, due to the increased costs of compliance to the candidate state

Hypothesis 2: Candidate states can overcome identity conflict when offered benefits are large enough and credible

Although this thesis is limited in its ability to generalize these findings to other cases, the study of these two countries is still relevant in understanding enlargement. It shows that the ‘external incentives model’ is still applicable to the most recent enlargement round, despite the fact that early literature had doubted whether it could be applied to more troublesome candidate states. Furthermore, the thesis has focused itself on the ‘external incentives model’ as a theory for explaining compliance. Since there are two other theories concerning the same phenomenon, it could be that those are equally able to explain patterns of compliance by Croatia and Turkey. Lastly, it is to be recognized that enlargement is composed of two main actors, the candidates and the EU. An interesting topic for further research would therefore be to study the policy of enlargement from the perspective of the EU, what motivates member states to enlarge or to withhold membership? Keeping the importance of member state government policies in mind, this thesis concludes by looking with interest to the coming period. Perhaps the election of François Hollande, who is more favorable to Turkish membership than Sarkozy, might be willing to lift the freezing of the five chapters by France. Combined with the upcoming Cypriot Presidency of the EU Council a new window of opportunity might emerge in order for Turkey to overcome its identity conflict.

8.0 Appendix



Figure 1: Map of the Drnovšek-Račan agreement. Source: (Andersen, 2011, p.9).



Figure 2: Map of Turkey and Northern Cyprus. Source: (Batuman, 2010, p.224).

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